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C O N F I D E N T I A L COLOMBO 000284

SIPDIS

FOR A/S ROCCA; ALSO FOR SA/INS AND D

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TAGS: [PGOV](#) [PREL](#) [PTER](#) [PINR](#) [PARM](#) [CE](#) [UK](#) [LTTE](#)

SUBJECT: HMG ON LTTE'S PROSCRIPTION UNDER UK LAW

Classified By: AMBASSADOR E. ASHLEY WILLS. REASONS 1.5 B, D.

¶1. (C) I met for an hour today (2/19) with HMG's very able High Commissioner in Sri Lanka, Stephen Evans. Evans came to see me under instructions from London to discuss next steps in (1) moving the LTTE toward a formal renunciation of violence and (2) attaching conditionality to loans and grants announced at the coming Tokyo Conference so as to encourage good behavior by the Tigers. By classified email, I am forwarding to SA and SA/INS a copy of the FCO cable of instructions to Evans, which he gave to me.

¶2. (C) This cable should be handled very discreetly both because he wasn't authorized to pass a copy to the USG and also because in it FCO makes a surprising admission, namely that were the LTTE to challenge its proscription under the UK's 2000 Terrorism law, HMG reckons that the Tigers would win and would be de-proscribed. I asked Evans whether the FCO thinks the LTTE will in fact challenge its proscription and he said he did not know.

¶3. (C) We compared notes about what the LTTE needs to do to get itself de-proscribed in our countries. It appears that we and the Brits agree that the Tigers need to make a public statement permanently renouncing terrorism at least and preferably violence of any type and then follow that statement with a "decent period" -- presumably a period of at least a year or two -- when its deeds match its verbal commitments. It appears that HMG is a bit uncertain, as are we, about the methodology to be used in pushing a move to de-proscribe through its bureaucracy. As you will see from the cable from the FCO, the UK has the further complication of not getting crosswise with Article 14 of the European Convention on Human Rights.

¶4. (C) On conditioning aid, we also agreed that it was much to be sought in whatever assistance that we and other donors announce in Tokyo. We even thought it prudent to encourage the Norwegians to talk to the Tigers ASAP about the kinds of steps they could take prior to Tokyo to encourage donor generosity and also to calm southern Sinhalese anxieties about LTTE intentions. These confidence-building steps by the LTTE could include setting milestones for its administration of the North and East regarding transparency and respect for human rights; permitting local elections and allowing non-LTTE parties to participate therein; improving accountability regarding the taxes and other fees the LTTE collects/extorts so that the Tamils (and we too) know how their money is being spent; and introducing such security-related measures as phased disarmament, putting their long-range weapons under international supervision, etc.

¶5. Comment: Evans and I run into one another often and consult closely on peace-related matters. It would be useful for us and HMG to agree on next steps for the international community because this will make it easier to get our EU and Japanese pals to adopt consistent positions as we collectively apply pressure to the two parties to the Sri Lankan conflict.

WILLS